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Water and Air Quality Issues in Oil and Gas Development: The Evolving Framework of Regulation and Management (Martz Summer Conference, June 5-6)

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2014

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### SLIDES: The STRONGER State Review Process: Draft Air Quality Guideline

Bruce Baizel

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# The STRONGER State Review Process -Draft Air Quality Guideline

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- Martz Summer Conference  
June 6, 2014

Bruce Baizel  
Chair, STRONGER Board  
[bruce@earthworksaction.org](mailto:bruce@earthworksaction.org)  
970-259-3353

# STRONGER

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- STRONGER - State Review of Oil and Natural Gas Environmental Regulations, Inc.
- A multi-stakeholder collaborative effort formed in 1999 to:
  - Benchmark state regulatory programs
  - Develop recommended state program guidelines
  - Evaluate state regulatory programs against those guidelines

# Guidelines

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- Performance-based environmental objectives rather than specific numerical criteria
- Recognize differences in geology, topography, climate, hydrology, economics, methods of operation, laws and regulatory history



# IOGCC State Review Concept

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- Established by IOGCC with support from EPA
- Stakeholder involvement
- Voluntary reviews
- Initial review to benchmark of state program
- A written report including findings and recommendations was developed
- 12 states reviewed against Guidelines

# Guidelines Revision

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- Updated and revised the 1990 Guidelines
- Expanded to include naturally occurring radioactive material and abandoned wells
- Included EPA clarification of exemption for certain associated wastes
- Completed in 1994
- Follow-up state reviews begun
- Five state programs received initial review and three states had follow-up reviews under 1994 guidelines – all states showed program improvements above benchmark levels



# STRONGER

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- Formed June 1999 to administer the program
- Functions:
  - Manage state review process
  - Sponsor new/revised guidelines
  - Develop procedures for reviews, training
  - Assemble review teams
  - Contract administrative/clerical support
  - Settle disputes

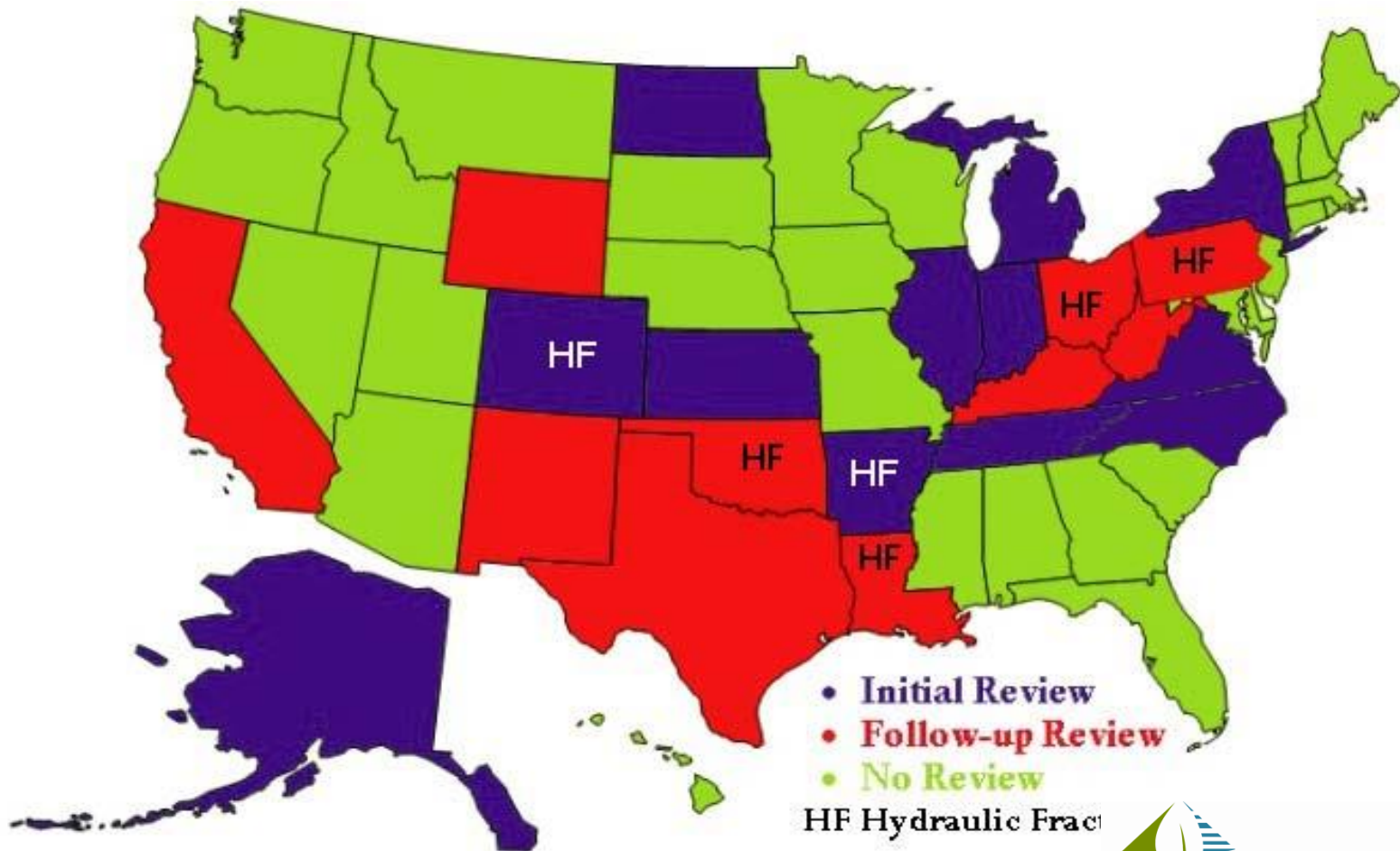
# STRONGER

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- Non-profit educational corporation
- Balanced stakeholder Board of Directors
  - 3 State regulators
  - 3 Industry representatives
  - 3 Environmental representatives
- Funding (EPA, DOE & API)
- Administrative services



# State Reviews



# Strengths of Review Process

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- Work performed by stakeholder teams
- Guidelines recognize regional differences
- Review documents program strengths and opportunities for improvement
- Follow-up reviews evaluate implementation of recommendations and review program against more recently developed guidelines
- Process is transparent and timely
- Consensus is achieved

# Results to Date

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- 22 states reviewed – 94% onshore production
- 10 states with follow-up reviews – 76% of recommendations satisfied
- 2009 survey – all states implemented some recommendations
  - 33% fully implemented
  - 27% partially implemented
  - 26% outstanding
  - 14% unknown

# Guidelines Updates

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- 2005:
  - Spill Prevention & Performance Measures added to Administrative Criteria
  - Stormwater Management section added
- 2010:
  - Hydraulic Fracturing section added
- 2013:
  - Hydraulic Fracturing section revised

# Guidelines Sections

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- I. Introduction
- II. Scope of the Criteria
- III. General Criteria
- IV. Administrative Criteria
- V. Technical Criteria
- VI. Abandoned Well Sites
- VII. NORM
- VIII. Stormwater Management
- IX. Hydraulic Fracturing
- X. Air Quality (under development)

# Section X - Air Quality (under development)

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- Background
- Administrative Criteria
  - Scope of Authority
  - Jurisdiction and Cooperation Between Agencies
  - Permits, Authorizations and Exemptions
  - Compliance Monitoring, Demonstrations and Assurance

# Air Quality (under development)(Cont.)

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- Administrative Criteria (Cont.)
  - Enforcement
    - Enforcement Tools
    - Penalties
    - Right of Appeal
  - Staffing and Training
  - Data Management
  - Public Involvement
  - Outreach
  - Strategic Program and Resource Planning

# Air Quality (under development)(Cont.)

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- Air Program-Specific Elements
  - Delineation of Sources
  - Source-Specific Requirements
  - Air Quality Monitoring Networks
  - Reporting, Emissions Inventories & Recordkeeping
  - Corrective Actions & Emergency Response
  - Long-Term Planning, Prioritization & Evaluation



# Current Status

- Stakeholder Work Group developed draft guideline in 2013
- Draft guideline put out for review in 1/2014
- Work Group is reviewing comments this month
- Joint meeting with the STRONGER board at the end of this month to finalize the guideline
- Adoption and use by STRONGER

# For More Information

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**STRONGER website - [www.strongerinc.org](http://www.strongerinc.org)**

James E. Erb, P.E., Administrator

STRONGER

Phone: 717-576-2877

[jeerb@comcast.net](mailto:jeerb@comcast.net)